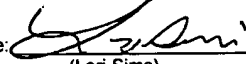


I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV 456359753 US, on the date shown below in an envelope addressed to: MS RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: December 11, 2006 Signature: 

(Lori Sims)

Patent

Docket No. 578562001721

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re Patent Application of:
Jonathan B. ROTHBARD et al.

Serial No.: 10/083,960

Filing Date: February 25, 2002

For: COMPOSITIONS AND METHODS FOR
ENHANCING DRUG DELIVERY
ACROSS AND INTO OCULAR
TISSUES

Examiner: J. Russel

Group Art Unit: 1654

**SUPPLEMENTAL INFORMATION DISCLOSURE
STATEMENT UNDER 37 C.F.R. § 1.97 & 1.98**

MS RCE
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. § 1.97 and § 1.98, Applicants submit for consideration in the above-identified application the documents listed on the attached Form PTO/SB/08a/b. U.S. Patents/Patent Applications numbered 1-5 and 20 are not submitted herewith. Copies of foreign documents and non-patent literature (documents numbered 6-10, 12-19, 21 and 22) are submitted herewith. A copy of the remaining document (10) cited in the attached Form PTO/SB/08a/b was previously submitted in an Information Disclosure Statement and/or Office Action, directed to the parent application Serial Number 09/792,480, filed February 23, 2001, (now U.S. Patent No. 6,669,951) and accordingly a copy is not included herewith. This protocol conforms with 37 C.F.R.

§1.98(d) and M.P.E.P. 609(A)(2). The Examiner is requested to make these documents of record in the application.

This Supplemental Information Disclosure Statement is submitted:

- ☐ With the application; accordingly, no fee or separate requirements are required.
- ☒ Before the mailing of a first Office Action after the filing of a Request for Continued Examination under § 1.114. However, if applicable, a certification under 37 C.F.R. § 1.97 (e)(1) has been provided.
- ☐ Within three months of the application filing date or before mailing of a first Office Action on the merits; accordingly, no fee or separate requirements are required. However, if applicable, a certification under 37 C.F.R. § 1.97 (e)(1) has been provided.
- ☐ After receipt of a first Office Action on the merits but before mailing of a final Office Action or Notice of Allowance.
 - ☐ A fee is required. A check in the amount of __ is enclosed.
 - ☐ A fee is required. Accordingly, a Fee Transmittal form (PTO/SB/17) is attached to this submission in duplicate.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above; accordingly; no fee is believed to be due.
- ☐ After mailing of a final Office Action or Notice of Allowance, but before payment of the issue fee.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above and a check in the amount of __ is enclosed.
 - ☐ A Certification under 37 C.F.R. § 1.97(e) is provided above and a Fee Transmittal form (PTO/SB/17 is attached to this submission in duplicate.)

Applicants would appreciate the Examiner initialing and returning the Form PTO/SB/08a/b, indicating that the information has been considered and made of record herein.

The information contained in this Supplemental Information Disclosure Statement under 37 C.F.R. § 1.97 and § 1.98 is not to be construed as a representation that: (i) a complete search has been made; (ii) additional information material to the examination of this application does not exist;

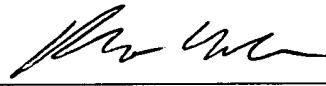
(iii) the information, protocols, results and the like reported by third parties are accurate or enabling;
or (iv) the above information constitutes prior art to the subject invention.

In the unlikely event that the transmittal form is separated from this document and the Patent and Trademark Office determines that an extension and/or other relief (such as payment of a fee under 37 C.F.R. § 1.17 (p)) is required, Applicants petition for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petition and/or other fees due in connection with the filing of this document to **Deposit Account No. 03-1952** referencing 578562001721.

Dated: December 11, 2006

Respectfully submitted,

By



Robert K. Cerpa

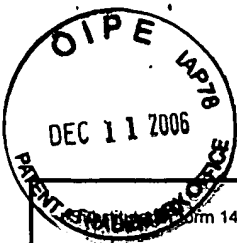
Registration No.: 39,933

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Palo Alto, California 94304-1018

(650) 813-5715



ALTERNATIVE TO PTO/SB/08a/b (07-05)

INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)				Complete if Known	
				Application Number	10/083,960
				Filing Date	February 25, 2002
				First Named Inventor	Jonathan B. ROTHBARD
				Art Unit	1654
				Examiner Name	J. Russel
Sheet	1	of	2	Attorney Docket Number	578562001721

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code ² (if known)			
	1.	US-6,013,628-A	01-11-2000	Skubitz et al.	
	2.	US-6,306,993-B1	10-23-2001	Rothbard et al.	
	3.	US-6,495,663-B1	12-17-2002	Rothbard et al.	
	4.	US-6,759,387-B2	07-06-2004	Rothbard et al.	
	5.	US- 2002/0009491	01-24-2002	Rothbard et al.	

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
		Country Code ³ -Number ⁴ -Kind Code ⁵ (if known)				
	6.	CA-2,291,074-A1	11-26-1998	The Board of Trustees of the Leland Stanford Junior University		
	7.	CA-2,400,099-A1	08-30-2001	Cellgate, Inc.		
	8.	CA-2,438,326-A1	09-06-2002	Cellgate, Inc.		
	9.	CA-2,438,784-A1	09-12-2002	Cellgate, Inc.		
	10.	WO-02/067917-A1	09-06-2002	Cellgate, Inc.		
	11.	WO-02/07773-A2,A3	01-31-2002	Essentia Biosystems, Inc.		

*EXAMINER: Initial if information considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kinds Codes of USPTO Patent Documents at www.uspto.gov or MPEP 901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	12.	European Search Report mailed April 7, 2006 for European Patent Application No. 00957830.3, five pages.	
	13.	Fabre, I. et al. (August 1984). "Polyglutamylation, an Important Element in Methotrexate Cytotoxicity and Selectivity in Tumor Versus Murine Granulocytic Progenitor Cells In Vitro," <i>Cancer Research</i> 44(8):3190-3195.	
	14.	International Search Report mailed April 26, 2001 for PCT Application No. PCT/US00/23440, filed August 24, 2000, 11 pages.	
	15.	International Search Report mailed May 29, 2002 for PCT Application No. PCT/US02/05804, filed February 25, 2002, 5 pages.	
	16.	Kato, Y. et al. (January 1984). "Antitumor Activity of U- β -D-Arabinofuranosylcytosine Conjugated With Polyglutamic Acid and its Derivative," <i>Cancer Research</i> 44(1):25-30.	
	17.	Li, C. et al. (April 12, 1997). "Development of a Highly Efficacious Water-Soluble Polymer-Taxol Conjugate," <i>Proceedings of the 88th Annual Meeting of the American Association for Cancer Research</i> , San Diego, CA April 12-19, 1997, 38:258 (Abstract #1731).	
	18.	Morimoto, Y. et al. (September 1984). "Antitumor Agent Poly (Amino Acid) Conjugates as a Drug Carrier in Cancer Chemotherapy," <i>Journal of Pharmacobio-Dynamics</i> 7(9):688-698.	
	19.	Rothbard et al. (November 2000). "Conjugation of Arginine Oligomers to Cyclosporin A Facilitates Topical Delivery and Inhibition of Inflammation," <i>Nature Medicine</i> 6(11):1253-1257.	
	20.	United States Patent Application No. 09/779,693, filed February 7, 2001, for Rothbard.	

Examiner Signature	Date Considered
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pa- 1116266

Substitute for form 1449/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(Use as many sheets as necessary)</i>				Complete if Known	
				Application Number	10/083,960
				Filing Date	February 25, 2002
				First Named Inventor	Jonathan B. ROTHBARD
				Art Unit	1654
				Examiner Name	J. Russel
Sheet	2	of	2	Attorney Docket Number	578562001721

	21.	Willner, D. et al. (1993). "(6-Maleimidocaproyl)Hydrazone of Doxorubicin - A new Derivative for the Preparation of Immunoconjugates of Doxorubicin," <i>Bioconjugate Chemistry</i> 4:521-527.	
	22.	Zhang, S. et al. (April 1999). "Growth Factors Secreted by Bronchial Epithelial Cells Control Myofibroblast Proliferation: An In Vitro Co-culture Model of Airway Remodeling in Asthma," <i>Laboratory Investigation</i> 79(4):395-405.	

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹Applicant's unique citation designation number (optional). ²Applicant is to place a check mark here if English language Translation is attached.

Examiner Signature		Date Considered	
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